



**ZONING BOARD OF ADJUSTMENT**  
**30 PAYSON HILL ROAD**  
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**ZONING BOARD OF ADJUSTMENT**

**MEETING MINUTES**

December 23, 2025 – 7:00pm

7:00 pm – Meeting was called to order by Chairman George Carmichael  
Members and Alternates Present: George Carmichael, Ross Thermos, Peter Letourneau, Terence Fogg, Kevin Sawyer, Marty Kulla, Marcia Breckenridge, Phil Stenersen  
Members and Alternates Absent: None  
Public: Jim Critser, Tom Coneys, Jason Gorman

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For general information, the Zoning Board of Adjustment (ZBA) has five voting members. Alternates may participate during the testimony phase and are permitted to ask questions, as may members of the public. Anyone wishing to speak during portions of the hearing open to public comment must first be recognized by the Chair and should state their name and address for the record. Once the testimony phase is closed, only the five voting members will participate in the deliberations and decision-making process. If a regular member is absent or recuses themselves from a case, the Chair will appoint an alternate to serve in their place.

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Recusals: None heard, the five regular members will sit on the case; Carmichael, Breckenridge, Stenersen, Thermos, Kulla

The Clerk announced that notice of the Public Hearing was posted online at [rindgenh.gov](http://rindgenh.gov), on the Town Hall bulletin boards upstairs and downstairs, in the Monadnock Ledger Transcript, and at the Rindge Post Office.

**Public Hearings:**

**ZBA Case# 2025-16:** A Variance was requested from Article V, Section B-1 of the Rindge Zoning Ordinance to permit the creation of a lot with less than the required minimum frontage located at Map 16, Lot 7-0 in the Residential/Agricultural District at 102 Hubbard Hill Road and owned by Jason Gorman.

- Applicant Testimony and Open Session
  - Mr. Gorman sought relief from a frontage shortfall of approximately 37 feet on an approximate 5.25 acre lot. He would like to make two lots, one being confirming by town law and the second having approximately 3 acres with 213' of frontage. One house already exists on the property. Mr. Gorman then read his answers to each of the five criteria as written on his application.
  - Carmichael noted to Board that any motion to approve to deny should include clarifying language on the application.
  - Thermos asked if the intent is to split the property by the Paradise Island side of the property and clarified where the stakes are. He followed to ask if there were any plans for the development past what the application provided, which Gorman replied that he is seeking relief before moving forward with the development plan.
  - Breckenridge moved to enter Deliberative Session, seconded by Thermos. Board voted 5-0 and entered Deliberative Session.

- Deliberative Session
  - Thermos noted, given the property location, there are a couple dangerous curves in the road but the location that the applicant proposed is a relative safe area.
  - Stenersen noted that the application seems to be clearly outlined, Breckenridge stated that just because an application with similar request has been approved in the past does not mean it applies to all future applications. The Board decided to review the variance application through the approval checklist criteria.
  - Criteria 1: The variance would not be contrary to public interest.
    - As previously mentioned, Thermos noted the relative safe location. Kulla agreed with Breckenridge, noting that the area is somewhat denser being a lakefront neighborhood.
    - Stenersen referred to the preamble of the Rindge Zoning Ordinance in support of the applicant. Carmichael disagreed stating that the preamble explains the purpose for which the ordinance was adopted, but it is not a decision making standard and does not replace the five required variance criteria.
    - Breckenridge moved that we accept the application read that the variance would not be conflict to the public interest because it would not interfere for altering the safety, threatening public health, safety, wellness. Seconded by Stenersen Board voted 5-0 in favor, approved.
  - Criteria 2: Granting the variance would do substantial justice.
    - Thermos, Breckenridge and Carmichael discussed the wording of the application and needed additional information; including the shortfall of the frontage. There was a discussion regarding the applicant's reliance on a prior case as justification for approval. Carmichael reminded the Board that each case stands on its own merits.
    - Thermos noted that no abutters were present.
    - Stenersen noted that potential loss to the public would be a loss to the landowner not being able to use his land to the full potential.
    - Breckenridge moved that granting the variance would do substantial justice because the shortfall is only 37', and very close to the required 250' in the ordinance. Seconded by Stenersen. Board voted 5-0, approved.
  - Criteria 3: The variance would be consistent with the spirit and intent of the Rindge zoning ordinance.
    - Breckenridge noted no abutters present which suggests that they are not opposed to the applicant's plan.
    - Stenersen noted that the application is unique because the density as required is
    - Stenersen moved that variance is consistent with the spirit and intent of the Rindge zoning ordinance because both lots meet the acreage requirements. Breckenridge seconded. Board voted 4-1, approved.
  - Criteria 4: Granting the variance would not diminish surrounding property values.
    - Breckenridge again noted the absence of testimony from abutters and real estate professionals in favor or objection. Stenersen also noted that putting a house on 2+ acres would not diminish property value.

- Breckenridge granting the variance would not diminish surrounding property values because there were no realtors or abutters present that stated any concerns or presented any evidence. Kulla seconded. Board voted 5-0, approved.
- Criteria 5: Special Conditions do exist on the property that distinguish it from other properties in the area such that literal enforcement of the ordinance results in unnecessary hardship.
  - Kulla noted that conditions exist that distinguish the property because it contains adequate acreage for two separate lots but is just a little short on the frontage. Breckenridge agreed and added that creating a separate lot will preserve the character of the existing home on the property.
  - Carmichael does not believe that hardship exists on the property since there is already a single-family home on it which fulfills the property's potential.
  - Kulla moved that there are special conditions that exist as the lot has ample acreage and is very close to the frontage requirements. Stenersen seconded. Board voted 4-1, approved.
- Criteria 5a: n/a
  - Carmichael moved to mark criteria 5a as n/a, seconded by Breckenridge. Board voted 5-0, approved.
- Criteria 5b: The variance is reasonable because:
  - Carmichael noted that variances are intended to provide relief where an ordinance deprives a property of reasonable use, and stated that, in his view, no special conditions exist and the property owner already has full and reasonable use of the property. Breckenridge noted that there are special conditions because of the prior four decisions recorded.
  - Stenersen moved to grant the variance because it meets the five criteria, seconded by Breckenridge. Board voted 4-1, approved.
- The Board approved the variance 4-1.

Approval of Minutes: November 25, 2025

- Carmichael moved to approve the meeting minutes from November 23, 2025, seconded by Kulla. Board voted 4-0 in favor, Stenersen abstaining.

Budget Discussion – Not Covered

Other business that may come before the board.

- Rindge Rentals and NH Housing Board decision– Town of Rindge will be appealing, motion filed on 12/22. Carmichael noted appreciation on the Selectmen for supporting the Board's decision.

Adjournment

- Stenersen moved to adjourn, Thermos seconded. Board voted 5-0, approved.
  - Meeting adjourned, 7:42pm

*Respectfully submitted, Amanda Nardini*